

December 23, 2019

VIA ECF

The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, NY 10007

Re: *New York Immigration Coalition v. United States Immigration and Customs Enforcement, et al.*, 1:18-cv-04376-PGG

Dear Judge Gardephe:

The parties to the above-referenced Freedom of Information Act (“FOIA”) litigation submit this letter to update the Court on the status of this litigation, per the Court’s Order dated December 28, 2018 (“Production Order”). Dkt. No. 23. Counsel for Plaintiff New York Immigration Coalition (“NYIC”) has conferred with counsel for Defendants United States Immigration and Customs Enforcement (“ICE”) and United States Customs and Border Protection (“CBP”) (collectively “the Government”), who joins in this letter.

Pursuant to the terms of the Production Order, the Government has informed NYIC that it substantially finished its rolling document production in this matter on November 22, 2019. At present, there are only ten responsive documents outstanding—documents that CBP referred to ICE for review, some of which ICE determined it must refer to other government agencies for input before any non-exempt portions of the documents can be released. The Government expects that these remaining steps will be completed by January 23, 2020.

In light of the above, the parties respectfully propose that they submit another joint status update to the Court by Friday, January 31, 2020, proposing next steps for the case. This extra time will allow the Government to complete its review with respect to the ten outstanding documents described above and will allow NYIC to complete its review of documents produced by the Government and to determine whether it intends to challenge any aspect of the Government’s productions.

Thank you for your consideration of this request.

Respectfully submitted,

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